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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,541	11/06/2000	Elijahu Shapira	3561-68	1290
20575	7590	02/03/2004	EXAMINER	
MARGER JOHNSON & MCCOLLOM PC 1030 SW MORRISON STREET PORTLAND, OR 97205			KANOF, PEDRO R	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/707,541

Applicant(s)

SHAPIRA ET AL.

Examiner

Pedro Kanof

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06 November 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: use of hyperlink.
Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue et al. (U.S. Patent No. 5,987,480).

Claim 1: Donohue discloses a method for tracking and reporting electronic commerce activity over a web site comprising:

storing a web page on a first server coupled to a wide area network (Col. 1, lines 42-54).

Donohue does not explicitly disclose that the web page including data fields reflecting commerce transaction activity and data mining code. This step is well known in the art as Applicant has admitted in page 1, lines 19-29 in the Specification. Therefore, it would have been obvious to one

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having ordinary skill in the art at the time the invention was made to include such as a step. One would have been motivated to use that step in order to tracking network transactions.

Donohue also discloses uploading the web page to a visitor computer responsive to a request over the wide area network from the visitor computer (Col. 1, lines 42-54, and col. 7, lines 35-44);

accepting commerce information within the data fields of the web page at the visitor computer to form a completed web page (Col. 10, lines 20-30, and col. 6, lines 14-33);

operating the data mining code on the visitor computer to obtain technical and commercial data (Col. 10, lines 43-48, col. 5, lines 14-23, and col. 21, line 61-col. 22, line 33); and

receiving the technical and commercial data at a second server (Col. 7, lines 36-37).

Claim 2: Donohue discloses the method for tracking and reporting electronic commerce activity of claim 1. Donohue also discloses including the steps of:

receiving the completed web page at the first server (Col. 7, lines 7-14);

generating an order confirmation web page incorporating the commerce information from the data fields of the completed web page, said order confirmation web page including the data mining code (Col. 7, lines 45-58); and

uploading the order confirmation web page to the visitor computer (Col. 9, lines 40-53).

Claim 3: Donohue discloses the method for tracking and reporting electronic commerce activity of claim 2. Donohue also discloses including the steps of:

associating variables within the data mining code to the commerce information within the order confirmation page (Col. 9, lines 54-59);

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confirming the commerce information at the visitor computer (Col. 7, line 59-col. 8, line 9, and col. 9, line 59-col. 10, line 3);

receiving the order confirmation page from the visitor computer at the first server responsive to the step of confirming the commerce information (col. 10, lines 20-30); and

receiving the associated variables at the second server responsive to the step of confirming the commerce information (Col. 7, lines 36-37, and col. 10, lines 31-37).

Claim 4: Donohue discloses the method for tracking and reporting electronic commerce activity of claim 3. Donohue also discloses the step of associating variables includes the steps of associating a variable with a product name of the commercial transaction (“...instructions as to how the text should be displayed...”, Col. 1, lines 35-65).

Claim 5: Donohue discloses the method for tracking and reporting electronic commerce activity of claim 3. Donohue also discloses the step of associating variables includes the steps of associating a variable with a product category of the commercial transaction (Col. 10, lines 4-8 and col. 17, “account transaction”).

Claim 6: Donohue discloses the method for tracking and reporting electronic commerce activity of claim 3. Donohue also discloses the step of associating variables includes the steps of associating a variable with a number of products purchased in the commercial transaction (Col. 1, lines 25-41, col. 2, lines 32-46, col. 7, lines 45-57, and col. 13, lines 10-21).

Claim 7: Donohue discloses the method for tracking and reporting electronic commerce activity of claim 3. Donohue also discloses the step of associating variables includes the steps of associating a variable with a unit price of the commercial transaction (Col. 2, lines 32-58, col. 4, lines 27-35, col. 10, lines 20-30, and col. 13, lines 10-21).

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4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue et al. (U.S. Patent No. 5,987,480) in view of Donoho et al. (US Patent No. 6,356,884).

Claim 8: Donohue discloses the method of claim 3. Donohue does not explicitly disclose the steps of compiling the variables into a commercial transaction report; and posting the report for viewing over the wide area network. Donoho discloses the steps of compiling the variables into a commercial transaction report (Col. 8, lines 38-64, col. 14, lines 10-16, col. 38, lines 15-20, col. 56, lines 30-47, col. 75, lines 15-59); and posting the report for viewing over the wide area network (Col. 3, lines 37-43). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include these steps in the Donohue invention. One would have been motivated to include these steps in order to facilitate the analysis on the information regarding the transactions.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Hyung Sough can be reached on (703) 308-0505. The fax phone number for this Group is (703) 305-7687.

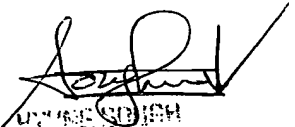
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

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PRK-1/21/04.


PATENT EXAMINER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600